

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF TENNESSEE**

**IN RE:**

**CUMMINGS MANOOKIAN, PLLC,  
Debtor.**

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**CASE NO.: 3:19-bk-07235  
CHAPTER 7**

**OBJECTION/RESPONSE TO TRUSTEE'S MOTION TO APPROVE  
FEE AND EXPENSE DIVISION AMONG DEBTOR AND CUMMINGS LAW, LLC**

**DEADLINE FOR FILING RESPONSES IS MAY 18, 2020. A HEARING WILL BE HELD ON THE OBJECTION/RESPONSE TO TRUSTEE'S MOTION TO APPROVE FEE AND EXPENSE DIVISION AMONG DEBTOR AND CUMMINGS LAW, LLC (DOC. 73) ON MAY 26, 2020 AT 10:00 A.M. IN COURTROOM TWO, 2<sup>ND</sup> FLOOR, CUSTOMS HOUSE, 701 BROADWAY, NASHVILLE, TENNESSEE.**

Comes Grant, Konvalinka & Harrison, P.C. ("GKH") and files its Objection/Response to the Trustee's Motion to Approve Fee and Expense Division Among Debtor and Cummings Law, LLC (Doc. 73). In support of its Objection/Response, GKH would show:

1. Cummings Manookian, PLLC filed its Chapter 7 bankruptcy on November 6, 2019.

2. GKH is a creditor of the Debtor holding a Judgment in the amount of \$295,305.27

entered by the Chancery Court of Hamilton County, Tennessee, on April 8, 2019.

3. On April 27, 2020, the Trustee, through counsel, filed a Notice of Trustee's Motion to Approve Fee and Expense Division Among Debtor and Cummings Law, LLC, requesting Court approval for division of fees and expenses in cases that originated with the Debtor but transferred to Cummings Law, LLC upon the exit of Brian Cummings from the Debtor. The Motion seeks approval for division of the fees pursuant to an agreement which purports to have been established

by the Amended and Restated Amended Operating Agreement of Cummings Manookian, PLLC dated January 30, 2017 (the “Operating Agreement”).

4. The Trustee did not attach a copy of the Operating Agreement to the Motion and creditors such as GKH should be able to review the document in order to determine whether the Trustee’s Motion should be granted.

5. The Trustee’s Motion does not provide creditors with information as to what cases are affected by the Motion, when those cases were filed, the amount of fees involved and similar information. Creditors cannot adequately evaluate the Trustee’s Motion without that information.

WHEREFORE, Grant, Konvalinka & Harrison, P.C. prays the Court to deny the Trustee’s Motion to Approve Fee and Expense Division Among Debtor and Cummings Law, LLC until sufficient information is provided to creditors to evaluate the Motion.

Respectfully submitted,

GRANT, KONVALINKA & HARRISON, P.C.

By: /s/ Harry R. Cash

HARRY R. CASH (BPR #9385)  
633 Chestnut Street, Suite 900  
Chattanooga, Tennessee 37450-0900  
423-756-8400  
423-756-6518 - facsimile

## **CERTIFICATE OF SERVICE**

I hereby certify that on May 18, 2020, a true and exact copy of the foregoing Objection to Trustee's Motion to Approve Fee and Expense Division Among Debtor and Cummings Law, LLC was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the Notice of Electronic Filing. In addition, a copy was sent by regular U.S. mail with sufficient postage thereon to deliver same to the following:

Jeanne Ann Burton, Trustee  
Jeanne Ann Burton, PLLC  
4117 Hillsboro Pike, Suite 103-106  
Nashville, TN 37215

United States Trustee  
701 Broadway  
Customs House, Suite 318  
Nashville, TN 37203

Phillip G. Young, Jr.  
Thompson Burton PLLC  
One Franklin Park  
6100 Tower Circle, Suite 200  
Franklin, TN 37067

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/s/ Harry R. Cash